

JUN 09 2008

**JEANNE G. QUINATA**  
Clerk of Court

**TEKER TORRES & TEKER, P.C.**

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Attorneys for Plaintiff

***Debbie Ann Reyes Perez***

IN THE DISTRICT COURT OF GUAM

DEBBIE ANN REYES PEREZ,

Plaintiff,

vs.

SUPERIOR COURT OF GUAM,

Defendant.

CIVIL CASE NO. CV **08-00007**

**COMPLAINT**

1. This Court has jurisdiction of this action pursuant to 28 USC §1331. (Federal Question).

2. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Equitable and other relief is sought under 42 U.S.C. §2000e *et seq.*

3. This Court has subject matter jurisdiction of this action under Title VII and 42 U.S.C. §2000e *et seq.* and the court may exercise supplemental jurisdiction of all related territorial based claims.

4. Plaintiff has complied with all conditions precedent to maintain an action

1 under Title VII and 42 USCA §2000e *et seq*, to wit:

2 a. A charge of employment discrimination was timely filed with the Equal  
3 Employment Opportunity Commission within 180 days of the commission of the unfair  
4 employment practice;

5 b. A Notification of Right to Sue was received from the Equal Employment  
6 Opportunity Commission on March 11, 2008;

7 c. This complaint has been filed within ninety (90) days of receipt of the  
8 Notification of Right to Sue.

9 5. Plaintiff, Debbie Anne Reyes Perez, is a female citizen of the United States and  
10 at all times relevant herein resided in Guam.

11 6. Upon information and belief, Defendant, the Superior Court of Guam, falls  
12 under the judicial branch of the government of Guam.

13 7. The unlawful employment practices alleged herein were committed within  
14 the territory of Guam.

15 8. Plaintiff has been discriminated against in ways that deprive and tend to  
16 deprive her of equal employment opportunities and otherwise adversely affected her status  
17 as an employee because she is female.

18 9. In September 2001 Plaintiff began her employment with the Defendant as a  
19 Deputy Marshall I. Marshals are peace officers required to carry their weapons while on  
20 duty.

21 10. Beginning on or about July 1, 2002 Plaintiff was subjected to a hostile work  
22 environment. On that date, while on duty, Plaintiff was physically assaulted for the first  
23 time and subjected to the unwanted sexual advances of her coworker and assigned partner,

1 Deputy Marshall II, Alan Ecle.

2 11. Ecle's unwanted advances continued from 2000 to 2006 in the form of  
3 intimidation, threats of sexual assault and sexual assaults during Plaintiff's employment with  
4 the Superior Court, except for a one year period when Ecle, who was also a member of the  
5 Guam National Guard, was deployed off island.

6 12. Ecle had a history of unlawful conduct and conduct contrary to the  
7 employment rules of the Superior Court of Guam during his employment as a Deputy  
8 Marshall of the Superior Court of Guam which information was know to the Court.

9 13. Between the initial incident in 2002 and through 2006 Plaintiff was routinely  
10 subjected to sexual harassment by her co-worker Ecle during her employment with  
11 Defendant.

12 14. On or about February 16, 2006 Plaintiff complained to the Defendant's EEO  
13 office John Taijeron about the unlawful sexual harassment she was being subjected to.  
14 Despite the information Mr. Taijeron and the Defendant did nothing to separate the parties  
15 or do anything about the unlawful activity.

16 15. On or about April 16, 2006 Plaintiff again complained to the Defendant's EEO  
17 office John Taijeron about the unlawful sexual harassment she was being subjected to.  
18 Defendant understood it obligations under the law and took some action to assist Plaintiff  
19 and also began an investigation after the second complaint.

20 16. Defendant's post complaint actions were insufficient and failed to prevent  
21 interaction between Plaintiff and Ecle.

22 17. The illegal harassment and unlawful conduct continued after Defendant was  
23 informed in April 2006.

1 18. In mid to late 2006 Plaintiff sought medical care for the stress and impact of  
2 the effects of the hostile environment she was subjected to but Defendant on more than one  
3 occasion refused Plaintiff leave to attend to such care..

4 19. Defendant, its agents, servants or employees, by their conduct alleged herein,  
5 intentionally, willfully, and without justification deprived plaintiff of her rights, privileges  
6 and immunities secured by the Constitution and laws of the United States and the territory  
7 of Guam, particularly the right as a female to be free of unlawful discrimination and sexual  
8 harassment in her employment.

9 20. Plaintiff has suffered damages in an amount to be proved at trial for lost  
10 wages, benefits and any and all compensatory and punitive damages allowed by law and  
11 equity.

12 WHEREFORE, Plaintiff requests that the Court:

- 13 1. Award Plaintiff compensation for general damages in the amount of \$300,000;  
14 2. Award Plaintiff punitive damages in accordance with the law and damages  
15 proven;  
16 3. Award Plaintiff her reasonable attorney's fees;  
17 4. Award Plaintiff her costs and disbursements; and  
18 5. Grant Plaintiff all other relief that is just and proper.

19 Dated at Hagåtña, Guam on this 9<sup>th</sup> day of June, 2008.

20 **TEKER TORRES & TEKER, P.C.**

21 By 

22 **PHILLIP TORRES, ESQ.**

23 Attorneys for Plaintiff

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**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff demands  
a jury trial.

**TEKER TORRES & TEKER, P.C.**

Dated: June 9, 2008.

By



**~~JA~~ PHILLIP TORRES, ESQ.**

Attorneys for Plaintiff